

5fw  
2876

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
FRUHAUF ET AL. )  
 ) Examiner: Thien M. LE  
Serial No. 09/686,327 )  
 ) Art Unit: 2876  
Filed: OCTOBER 11, 2000 )  
 )  
For: MULTI-MODE SMART CARD, SYSTEM )  
AND ASSOCIATED METHOD )

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER PRIOR PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Assignees, STMicroelectronics, Inc., having a mailing address of 1310 Electronics Drive, Carrollton, Texas 75006, and Schlumberger Malco, Inc., having a mailing address of 9800 Reisterstown Road, Owings Mills, Maryland 21117, verify through its duly authorized representative that each is an owner of right, title and interest in United States Patent Application Serial No. 09/686,327 (hereinafter "the '327 Patent Application") and each has remained owner of their respective right, title and interest from the time of filing the original Assignment to the present. The Assignment from inventors Serge F. FRUHAUF and Alain Christopher POMET to STMicroelectronics, Inc. was recorded on October 11, 2000, at Reel 011240, Frame 0336. The Assignment from inventor Robert A. LEYDIER to Schlumberger Malco, Inc. was recorded on May 15, 2002 at Reel 012893, Frame 0573.

09/07/2004 ZJUHAR1 00000022 09586327

01 FC:1814

110.00 OP

In re Patent Application of:  
**FRUHAUF ET AL.**  
Serial No. 09/686,327  
Filing Date: OCTOBER 11, 2000

---

Assignees hereby disclaim, except as provided below, the terminal part of any patent granted on the '327 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 in U.S. Patent No. 6,439,464 (hereinafter "the '464 Patent"). Assignees hereby agree that any patent so granted on the '327 Patent Application shall be enforceable only for and during such period that it and the '464 Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignees do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignees, the undersigned is the attorney of record.

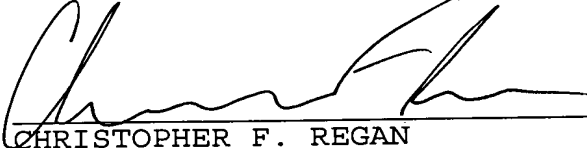
The Commissioner is hereby authorized to charge the Terminal Disclaimer fee in the amount of \$110.00 to the credit card noted in the attached credit card payment form. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. 01-

In re Patent Application of:  
**FRUHAUF ET AL.**  
Serial No. 09/686,327  
Filing Date: OCTOBER 11, 2000

---

0484.

Respectfully submitted,



CHRISTOPHER F. REGAN

Reg. No. 34,906

Allen, Dyer, Doppelt, Milbrath  
& Gilchrist, P.A.

255 S. Orange Ave., Suite 1401

P. O. Box 3791

Orlando, Florida 32802

(407) 841-2330

Attorney of Record for Applicant

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that this correspondence is  
being deposited with the United States Postal Service as First  
Class Mail in an envelope addressed to: COMMISSIONER FOR  
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, this 2nd  
day of September, 2004.

